

**REMARKS**

Reconsideration and allowance of this application are respectfully requested. Claims 1-32 are cancelled. Claims 33-63 remain in this application and, as amended here, are submitted for the Examiner's reconsideration.

In the Office Action, **claims 33-36, 38, 40-46, 51-52, 57, and 59-63** were rejected under 35 U.S.C. § 103(a) as being unpatentable over Abecassis (U.S. Patent No. 6,553,178) in view of Kikinis (U.S. Patent No. 5,929,849) in view of Wilkins (U.S. Patent No. 5,446,919) in view of Speicher (U.S. Patent No. 6,285,984). Applicants submit that the claims are patentably distinguishable over the relied on sections of the references.

Independent claims 33-36 have been amended to more clearly show the differences between the claimed features and the relied on art. No new matter has been added by these changes.

As amended herein, claim 33 recites:

image input means for inputting a face image of an individual to serve as seal data that is to be included in personal data of the individual,

output means for outputting the personal data, the outputted personal data of the individual including the face image that serves as seal data,

...

a server for receiving the personal data from the receiving apparatus, the received personal data of the individual including the face image that serves as seal data, for transmitting the personal data to the receiving apparatus, the transmitted personal data of the individual including the face image that serves as seal data, and for managing the personal data, the managed personal data of the individual including the face image that serves as seal data; and

...

wherein the personal data is electronically exchanged among the receiving apparatuses using the server and the two-way communicating means, the exchanged personal data of the individual including the face image

that serves as seal data.

(Emphasis added.) Neither the relied on sections of Abecassis, the relied on sections of Kikinis, the relied on sections of Wilkins, nor the relied on sections of Speicher disclose or suggest inputting a face image of an individual to serve as seal data. Moreover, neither the relied on sections of Abecassis, the relied on sections of Kikinis, the relied on sections of Wilkins, nor the relied on sections of Speicher disclose or suggest outputted personal data of an individual including a face image that serves as seal data. Further, neither the relied on sections of Abecassis, the relied on sections of Kikinis, the relied on sections of Wilkins, nor the relied on sections of Speicher disclose or suggest received personal data of an individual including a face image that serves as seal data. Still further, neither the relied on sections of Abecassis, the relied on sections of Kikinis, the relied on sections of Wilkins, nor the relied on sections of Speicher disclose or suggest transmitted personal data of an individual including a face image that serves as seal data. Yet further, neither the relied on sections of Abecassis, the relied on sections of Kikinis, the relied on sections of Wilkins, nor the relied on sections of Speicher disclose or suggest managed personal data of an individual including a face image that serves as seal data. Additionally, neither the relied on sections of Abecassis, the relied on sections of Kikinis, the relied on sections of Wilkins, nor the relied on sections of Speicher disclose or suggest exchanged personal data of an individual including a face image that serves as seal data.

The Office Action acknowledges that "Abecassis, Kikinis, and Wilkins are silent about input means for face image to serve as a seal" but contends that Speicher discloses this feature and

relies on Figs. 7 and 15 and col.8 line 54 - col. 9 line 67 of Speicher. However, such sections of Speicher merely describe submitting a photograph or video to enhance a personal ad. (See col.9 ll.17 and 44.) These sections are not concerned with submitting a photograph or video of an individual to serve as seal data. Hence, the relied on sections of Speicher do not overcome the deficiencies of Abecassis, Kikinis, and Wilkins.

It follows, for at least these reasons, that neither the relied on sections of Abecassis, the relied on sections of Kikinis, the relied on sections of Wilkins, nor the relied on sections of Speicher, whether taken alone or in combination, disclose or suggest the system set out in claim 33. Claim 33 is therefore patentably distinct and unobvious over the relied on sections of the references.

Independent claims 34-36 each call for features similar to those set out in the above excerpt of claim 33. Each of these claims is therefore patentably distinguishable over the relied on sections of Abecassis, Kikinis, Wilkins, and Speicher for at least the reasons set out above regarding claim 33.

Claims 38, 40-42, 51-52, and 59-63 depend from claim 33; claims 38, 40-46, 51-52, and 59-63 depend from claim 34; claims 38, 40-42, 51-52, 57, and 59-63 depend from claim 35; and claims 38, 40-46, 51-52, 57, and 59-63 depend from claim 36. Therefore, each of these claims is distinguishable over the relied on art for at least the same reasons as the claim from which it depends.

Moreover, (i) claim 37 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Abecassis in view of Kikinis in view of Wilkins in view of Speicher in view of Suh (U.S. Patent No. 5,850,265), (ii) claim 39 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Abecassis in view of

Kikinis in view of Wilkins in view of Speicher in view of Bryer (U.S. Patent No. 4,780,757), (iii) claims 47 and 48 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Abecassis in view of Kikinis in view of Wilkins in view of Speicher in view of Yoshida (U.S. Patent No. 5,517,321), (iv) claim 49 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Abecassis in view of Kikinis in view of Wilkins in view of Speicher in view of Hashimoto (U.S. Patent No. 4,982,441), (v) claim 50 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Abecassis in view of Kikinis in view of Wilkins in view of Speicher in view of Stephens (U.S. Patent No. 5,707,288), (vi) claim 53 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Abecassis in view of Kikinis in view of Wilkins in view of Speicher in view of Sudman (U.S. Patent No. 5,601,436), (vii) claims 54-55 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Abecassis in view of Kikinis in view of Wilkins in view of Speicher in view of Sudman and further in view of Montague (U.S. Patent No. 5,761, 669), (viii) claim 56 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Abecassis in view of Kikinis in view of Wilkins in view of Speicher in view of Miller (U.S. Patent No. 5,920,701), and (ix) claim 58 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Abecassis in view of Kikinis in view of Wilkins in view of Speicher in view of Herz (U.S. Patent No. 6,088,722). Applicants submit that the claims are patentably distinguishable over the relied on sections of the references.

Claims 37, 39, 50, and 53-55 depend from claim 33, claims 37, 39, 47-50, and 53-55 depend from claim 34, and claims 37, 39, 50, 53-56, and 58 depend from claim 35, claims 37, 39, 47-50, 53-56, and 58 depend from claim 36. Therefore, each of

the claims is distinguishable over the relied-on sections of Abecassis, Kikinis, Wilkins, and Speicher for at least the same reasons.

Neither the relied-on sections of Suh, the relied-on sections of Bryer, the relied-on sections of Yoshida, the relied-on sections of Hashimoto, the relied-on sections of Stephens, the relied-on sections of Sudman, the relied-on sections of Montague, the relied-on sections of Miller, nor the relied-on sections of Herz overcome the deficiencies of the relied-on sections of Abecassis, Kikinis, Wilkins, and Speicher.

Accordingly, Applicants respectfully request the withdrawal of the rejections under 35 U.S.C. § 103(a).

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicants' attorney at (908) 654-5000 in order to overcome any additional objections which the Examiner might have.

Application No.: 10/032,773

Docket No.: SONYJP 3.0-1214 DIV

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: February 7, 2011

Respectfully submitted,  
Electronic signature: /Lawrence  
E. Russ/  
Lawrence E. Russ  
Registration No.: 35,342  
LERNER, DAVID, LITTENBERG,  
KRUMHOLZ & MENTLIK, LLP  
600 South Avenue West  
Westfield, New Jersey 07090  
(908) 654-5000  
Attorney for Applicant

1318180\_1.doc